

IN THE MATTER OF APPLICATIONS 27724 )  
THROUGH 27728, INCLUSIVE, FILED BY )  
THE B.J.B. INVESTMENT COMPANY TO )  
APPROPRIATE WATER FROM AN UNDERGROUND )  
SOURCE IN WASHOE COUNTY, NEVADA. )

R U L I N G

General:

The following applications were filed on August 31, 1973, by the B.J.B. Investment Company, each to appropriate 3.0 c.f.s. of water from an underground source for quasi-municipal and domestic purposes. The proposed place of use under all applications is described as within portions of Section 33, T.20N.,R.18E., and portions of Sections 3, 11, 14, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 13, T.19N.,R.18E., M.D.M.; the period of use to be from January 1 and end December 31 of each year. The applicant states that it is proposed to serve 2,500  $\frac{1}{2}$  acre parcels - single family and 500 trailer spaces.

- 91 1. Application 27724 - The proposed point of diversion is to be located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 14, T.19N.,R.18E., M.D.M. A protest to the granting of Application 27724 was filed on December 11, 1973, by the Verdi Civic Association.
2. Application 27725 - The proposed point of diversion is to be located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 14, T.19N.,R.18E., M.D.M. A protest to the granting of Application 27725 was filed on December 11, 1973, by Lucy Shelly Crosthwaite.
3. Application 27726 - The proposed point of diversion is to be located within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 14, T.19N.,R.18E., M.D.M. A protest to the granting of Application 27726 was filed on December 11, 1973, by Lucy Shelly Crosthwaite.
4. Application 27727 - The proposed point of diversion is to be located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 14, T.19N., R.18E., M.D.M. A protest to the granting of Application 27727 was filed on December 11, 1973, by the Verdi Civic Association.

5. Application 27728 - The proposed point of diversion is to be located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  Section 14, T.19N., R.18E., M.D.M. A protest to the granting of Application 27728 was filed on December 11, 1973, by the Verdi Civic Association.

The protests filed by the Verdi Civic Association state:

"The Washoe County Regional Planning Commission recommended denial of a zoning change to permit a large residential development on this land. Their recommendation was upheld by the County Commission and the County Health Department. Reasons given were: 1) development not in conformance with the general plan; 2) approval would constitute spot zoning; 3) proposed density too high; 4) inadequate water and sewage treatment plans. The large volume of water represented by this application plus the other four filed on the same property could lower the water table in this area with an adverse affect on existing wells. We see no reason for granting so much water to a project that has already been rejected."

The protests filed by Lucy Shelly Crosthwaite state:

"The Washoe County Regional Planning Commission recommended denial of a zoning change to permit a large residential development on this land. Their recommendation was upheld by the County Commissioners and the County Health Department. Reasons given were: 1) development not in conformance with the general plan; 2) approval would constitute spot zoning; 3) proposed density too high; 4) inadequate water and sewage treatment plans. The large volume of water represented by this application plus the other four filed on the same property could lower the water table in this area with an adverse affect on existing wells. We see no reason for granting so much water to a project that has already been rejected."

A field investigation in the matter of protested Applications 27724 through 27728, inclusive, was held on April 10, 1974, by representatives of the Division of Water Resources with all interested parties. The report of field investigation is filed in the Office of the State Engineer, Division of Water Resources, 201 South Fall Street, Carson City, Nevada 89701, and is a matter of public record.

The Regional Planning Commission of Reno, Sparks, and Washoe County advises by letter of May 16, 1974, that the land under the above referenced applications is zoned A-1 (First Agricultural.) Under this zone classification, single family residences on one (1) acre parcels are permitted under the Washoe County land ordinance. Mr. George Brown reports a total of 1,235.54 acres of the above referenced land is presently in an A-1 zone classification.

Opinion:

It is the opinion of this office that the granting of Applications 27724 through 27728, inclusive, will not tend to impair the value of existing rights or otherwise be detrimental to the public welfare, provided the permits are in accordance with the capability of placing water to beneficial use for the purpose for which it is appropriated.

RULING

The protests against the granting of Applications 27724 through 27728, inclusive, are hereby overruled and permits will be granted upon the receipt of the statutory permit fees. The quantity of water allowed will be based on that necessary to serve 1235 single family residences. Further, the manner of use is understood to be consistent with current zoning provisions.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer



RDW:WJN:jw

Dated this 4th day of

June, 1974.